

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

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|--|---|-------------------------|
| LELLA V. MOSS, by agent and next friend |) | |
| Tommy Moss, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | Civil No. 2:07-0012 |
| |) | Judge Trauger |
| v. |) | Magistrate Judge Bryant |
| |) | |
| UNKNOWN TN DHS APS COMMISSIONERS, |) | |
| SUPERVISORS, ATTORNEY, individually, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

ORDER

Pending before the court is Tommy Moss's "Request to Review Dismissal Considering Plaintiffs Response" (Docket No. 112). This document requests that the court review late-filed documents in connection with a Report and Recommendation issued August 28, 2008 (Docket No. 93). The "Request" (Docket No. 112) is **DENIED**.

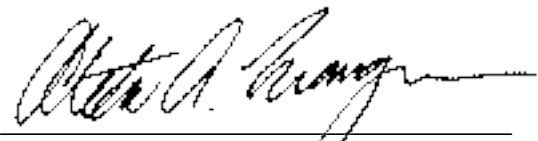
On August 28, 2008, the Magistrate Judge issued a Report and Recommendation that recommended that several Motions to Dismiss be granted and that the plaintiff's Motion For Partial Summary Judgment be denied. (Docket No. 93) The standard time for filing objections to a report and recommendation is ten days after service of the report and recommendation.

Although the record reflects that a copy of this Report and Recommendation, mailed to Tommy Moss, was "Returned As Unclaimed" on September 18, 2008 (Docket No. 102), on September 5, 2008, Tommy Moss had filed a Motion For Extension of Time to "Respond" to the Report and Recommendation (Docket No. 98). The court granted that motion and ordered Mr. Moss to file objections by October 6, 2008. (Docket No. 99) October 6, 2008, a Monday, came and went without objections being filed and, on October 7, 2008, the court accepted the Report and

Recommendation (Docket No. 5). On October 8, 2008, Mr. Moss filed a "Response" to the various Motions to Dismiss that had been ruled on by the Magistrate Judge and this court (Docket No. 106), along with two Affidavits of Mr. Moss (Docket Nos. 107, 108). Two days later, on October 10, 2008, Mr. Moss filed a Motion to Add Documents to his Response (Docket No. 109). On October 16, 2008, Mr. Moss filed the Request presently before the court, asking to be excused for the late filing of his documents and for the court to reconsider its Order accepting the Report and Recommendation. (Docket No. 112) Mr. Moss has sought and received extensions for nearly every filing he has made. Even with those extensions, however, he often does not meet the deadlines and asks that the Magistrate Judge and this judge excuse his failures. At least with regard to this request, the court declines to do so. Mr. Moss was granted a generous extension of time and still failed to meet the deadline. All parties to this case are entitled to some certainty, and the court's adhering to extended deadlines that it has set will provide that certainty to the parties.

It is so **ORDERED**.

Enter this 10th day of August 2009.

A handwritten signature in black ink, appearing to read 'Aleta A. Trauger', written over a horizontal line.

ALETA A. TRAUGER
U.S. District Judge